

# Nebraska Public Service Commission

**COMMISSIONERS:**

ROD JOHNSON  
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**NEBRASKA CONSUMER HOTLINE:**  
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**EXECUTIVE DIRECTOR:**

JEFFREY L. PURSLEY

## 54.31(A) State Certification Letter 2016 Submissions

September 21, 2016

Received & Inspected

SEP 26 2016

FCC Mailroom

✓ Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 – 12<sup>th</sup> Street, SW  
Washington DC 20554

USAC  
Vice President, High Cost Division  
Universal Service Administrative Company  
700 12<sup>th</sup> Street NW, Suite 900  
Washington, DC 20005

DOCKET FILE COPY ORIGINAL

RE: CC Docket No. 96-45/WC Docket No. 10-90/WC Docket No. 14-58, Annual State Certification of Support for High-cost and Mobility Fund Pursuant to 47 C.F. R. § 54.314

Pursuant to the requirements of 47 C.F. R. § 54.314, the Nebraska Public Service Commission hereby certifies to the Federal Communications Commission and the Universal Service Administrative Company that the telecommunications carriers included in this letter and the attached Nebraska Commission Orders, are eligible to receive federal high-cost support for the program years cited and also support for the Mobility Fund, for the program years cited.

The Nebraska Public Service Commission certifies for the carriers listed, all high-cost and Mobility Fund support provided to such carriers within Nebraska, was used in the preceding calendar year of 2015, and will be used in the coming calendar year of 2017, only for the provision, maintenance and upgrading of facilities and services for which the support is intended.<sup>1</sup>

Check ☒ if list of certified carriers is attached. (Commission Orders attached)

Sincerely,

A handwritten signature in blue ink that reads "Sue Vanicek".

Ms. Sue Vanicek, Director  
Nebraska Universal Service Fund  
Contact Phone Number: (402) 471-0264

No. of Copies rec'd 0  
List ABCDE

<sup>1</sup> 47 C.F. R. § 54.314(a) ("Certification. States that desire eligible telecommunications carriers to receive support pursuant to the high-cost program must file an annual certification with the Administrator and the Commission, stating that all federal high-cost support provided to such carriers within that State was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. High-cost support shall only be provided to the extent that the State has filed the requisite certification pursuant to this section".)

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September 21, 2016

## CERTIFICATION

To Whom It May Concern:

I, Jeffrey L. Pursley, Executive Director of the Nebraska Public Service Commission, hereby certify that the enclosed is a true and correct copy of the original order made and entered in the proceeding docketed as Application No. NUSF-25/NUSF-66, Progression Order #32 on the 20<sup>th</sup> day of September, 2016. The original order is filed and recorded in the official records of the Commission.

Please direct any questions concerning this order to Sue Vanicek, Director, at 402-471-3101.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Nebraska Public Service Commission, Lincoln, Nebraska, this 21st day of September, 2016.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey L. Pursley".

Jeffrey L. Pursley  
Executive Director

JP:bz

Enclosure

cc: Attached List

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska ) APPLICATION NO. NUSF-25  
Public Service Commission, on ) Progression Order No. 32  
its own motion, seeking to )  
establish guidelines for the )  
purpose of certifying the use )  
of federal universal service )  
support. )

In the Matter of the Nebraska ) APPLICATION NO. NUSF-66  
Public Service Commission, on )  
its own motion, seeking to )  
establish guidelines for the )  
purpose of certifying the use )  
of state universal service )  
support. ) Entered: September 20, 2016

BY THE COMMISSION:

O P I N I O N   A N D   F I N D I N G S

1. On May 15, 2007, the Nebraska Public Service Commission (Commission) established a detailed process for verifying whether all federal high-cost support was, in the preceding year, and would be in the next calendar year, used for the intended purpose pursuant to Section 254(e) of the Telecommunications Act of 1996; and whether all state high-cost support was and would be used for its intended purpose pursuant to Neb. Rev. Stat. § 86-324. See Application Nos. NUSF-25/NUSF-66, Progression Order #18 (May 15, 2007). Consistent with the Commission's findings all designated eligible telecommunications carriers (ETCs) and all Nebraska designated eligible telecommunications carriers (NETCs)<sup>1</sup> receiving high-cost support were required to file historical and prospective documentation describing their use of federal and state high-cost universal service support. These annual filings are due on June 1<sup>st</sup> of each year.

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<sup>1</sup> The Commission designates ETCs as eligible to receive federal high-cost universal service fund support pursuant to the Federal Telecommunications Act of 1996. The Commission designates NETCs as eligible to receive state high-cost universal service fund support pursuant to the Nebraska Telecommunications Universal Service Fund Act (NTUSF).

Application Nos. NUSF-25/NUSF-66  
Progression Order #32

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2. By June 1st of this year, each eligible telecommunications carrier (ETC) and each Nebraska eligible telecommunications carrier (NETC) was required to file with the NTIPS Department an adequate description of how the high-cost funding support has been used and an adequate description of how high-cost support will be used during the coming year.

3. On November 18, 2011, the Federal Communications Commission (FCC) issued its Universal Service and Intercarrier Compensation Transformation Order (Transformation Order)<sup>2</sup> which, *inter alia*, modified the certification requirements for ETCs. Among the changes 47 C.F.R. § 54.314 requires state commissions, after conducting a detailed review of ETC's historical and prospective documentation describing the use of federal universal service support, to determine whether universal service support was used for its intended purpose in the preceding calendar year and will be used for its intended purpose in the following calendar year.

4. Pursuant to the requirements established by the FCC, ETCs were required to file their annual Form 481 reports with the Commission on or before July 1<sup>st</sup> of this year.

5. Upon completion of its review, the Commission finds that the following carriers adequately filed information demonstrating that they have used all federal high-cost support in the preceding calendar year, and will continue to use all federal high-cost universal service support in the coming year for the provision, maintenance and upgrading of facilities and services for which support is intended, pursuant to 47 C.F.R § 54.314 (May 8, 2012) and WC Docket No. 10-90:

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<sup>2</sup> See *In the Matter of Connect America Fund; A National Broadband Plan for Our Future; Establishing Just and Reasonable Rates for Local Exchange Carriers; Developing a Unified Intercarrier Compensation Regime; Federal-State Joint Board on Universal Service; Lifeline and Link Up; Universal Service Reform-Mobility Fund, Report and Order and Further Notice of Proposed Rulemaking*, WC Docket 10-90 et al., 26 FCC Rcd 17663 (November 18, 2011) (Transformation Order).

<u>COMPANY NAME</u>	<u>STUDY AREA CODE</u> (SAC)
Allo Communications, LLC	379010
Arapahoe Telephone (ATC Communications)	371516
Arlington Telephone Company	371517
Benkelman Telephone Company	372455
Blair Telephone Company	371524
Cambridge Telephone Company	371526
Citizens Telecommunications / Frontier NE	371128
Clarks Telecommunications Company	371531
Consolidated Telco, Inc.	371530
Consolidated Telecom, Inc. fmly Home Telephone and Eustis Telephone	371562
Consolidated Telephone Company	371532
Cozad Telephone Co.	371534
Curtis Telephone Co.	371536
Dalton Telephone Co., Inc.	371537
Diller Telephone Co.	371540
Eastern Nebraska Telephone Co.	371542
Elsie Communications, Co.	371518
Glenwood Membership Corporation	371553
Golden West Telecommunications Coop	391659
Great Plains Communications	371577
Hamilton Telephone Co.	371555
Hartington Telecommunications Co.	371556
Hartman Telephone	371557
Hemingford Cooperative Telephone	371558
Henderson Cooperative Telephone	371559
Hershey Cooperative Telephone	371561
Hooper Telephone Company dba WestTel	371563
Huntel Cablevision dba Huntel Communications	379016
K & M Telephone Company	371565
Glenwood Network f/k/a Keystone-Arthur Telephone	371567
Mobius Communications, Co.	379014
Nebraska Central Telephone	371574
Nebraska Technology and Telecommunications	379004
NE Colorado Cellular dba Viaero Wireless	379008
Northeast Nebraska Telephone	371576
Pierce Telephone Co.	371581

# SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application Nos. NUSF-25/NUSF-66  
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Pinpoint Communications	379003
Pinpoint Wireless, Inc.	379022
Plainview Telephone	371582
Qwest Corporation d/b/a CenturyLink QC	375143
Rock County Telephone	371586
Sodtown Telephone	371590
Southeast Nebraska Communications, Inc. f/k/a Southeast Nebraska Telephone Company	371591
Stanton Telecom, Inc.	371592
Three River Telco	371525
Three River Communications, LLC	379015
United States Cellular Corporation (USCOC of Nebraska/Kansas)	379019
United Telephone Company of the West d/b/a CenturyLink	371595
Vivian Telephone	391686
Wauneta Telephone	371597
Windstream Nebraska, Inc.	371568

6. Accordingly, the Commission will provide certification to the Administrator of the federal high-cost universal service support mechanisms and the FCC, that the above-listed carriers have used federal high-cost support in the preceding calendar year (2015) and will continue to use federal high-cost universal service support in the coming year (2017) only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

7. Certification in this Order shall not be construed as precedent as to the sufficiency of the information considered acceptable by the Commission in subsequent years.

## O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Department certify to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission, that the above-listed eligible telecommunications carriers have used and will continue to use in the coming year federal high-cost support only for the provision, maintenance, and upgrading of

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application Nos. NUSF-25/NUSF-66  
Progression Order #32

Page 5

facilities and/or service for which the support is intended in accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 20th day of September, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gerald T. Vop*

*Tim Schram*  
Chairman

*Crystal Knodes*

ATTEST:

*Jeffrey L. Pelt*

Executive Director

*Frank E. Landis*  
//s//Frank E. Landis

*Tim Schram*  
//s//Tim Schram

# Nebraska Public Service Commission

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**EXECUTIVE DIRECTOR:**

JEFFREY L. PURSLEY

September 21, 2016

## CERTIFICATION

To Whom It May Concern:

I, Jeffrey L. Pursley, Executive Director of the Nebraska Public Service Commission, hereby certify that the enclosed is a true and correct copy of the original order made and entered in the proceeding docketed as Application No. NUSF-25/NUSF-66, Progression Order #33 on the 20<sup>th</sup> day of September, 2016. The original order is filed and recorded in the official records of the Commission.

Please direct any questions concerning this order to Sue Vanicek, Director, at 402-471-3101.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Nebraska Public Service Commission, Lincoln, Nebraska, this 21st day of September, 2016.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey L. Pursley".

Jeffrey L. Pursley  
Executive Director

JP:bz

Enclosure

cc: Michael Felicisimmo, N.E. Colorado Cellular, d/b/a Viaero, 1224 West Platte Avenue,  
Fort Morgan CO 80701  
Loel Brooks, Brooks, Pansing Brooks, 1248 "O" Street, Suite #984, Lincoln, NE 68508  
J. Thomas Shoemaker, Pinpoint Communications, P O Box 490, Cambridge, NE 69022



SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska	)	APPLICATION NO. NUSF-25
Public Service Commission, on	)	Progression Order No. 33
its own motion, seeking to	)	
establish guidelines for the	)	
purpose of certifying the use	)	
of federal universal service	)	
support.	)	
	)	
In the Matter of the Nebraska	)	APPLICATION NO. NUSF-66
Public Service Commission, on	)	
its own motion, seeking to	)	
establish guidelines for the	)	ORDER
purpose of certifying the use	)	
of state universal service	)	
support.	)	Entered: September 20, 2016.

BY THE COMMISSION:

O P I N I O N   A N D   F I N D I N G S

1. Pursuant to the requirements established by the FCC, recipients of Phase I Mobility Funds were required to file their FCC Annual Form 690 Report with the Commission on or before July 1<sup>st</sup> of this year.<sup>1</sup> The report is intended to provide an adequate description of how the Mobility Funds were used. Form 690 Reports were filed by N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless and by Pinpoint Wireless, Inc.

2. 47 C.F.R. § 54.314 requires state commissions, after conducting a detailed review of ETC's use of federal universal service support, to determine whether universal service support was used for its intended purpose in the preceding calendar year and will be used for its intended purpose in the following calendar year.

3. The Commission finds that N.E. Colorado Cellular, Inc. d/b/a Viaero Wireless and Pinpoint Wireless, Inc. have demonstrated that they have used federal Mobility Fund Phase I support for the provision, maintenance and upgrading of facilities and services for which support is intended, pursuant to 47 C.F.R § 54.314 (May 8, 2012) and WC Docket No. 10-90:

<sup>1</sup> See also 47 C.F.R. §54.1009.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application Nos. NUSF-25/NUSF-66  
Progression Order #33

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<u>COMPANY NAME</u>	<u>MOBILITY FUND</u> <u>PHASE I</u> <u>STUDY AREA CODE</u> <u>(SAC)</u>
NE Colorado Cellular, Inc. dba Viaero	378001
NE Colorado Cellular, Inc. dba Viaero	378002
NE Colorado Cellular, Inc. dba Viaero	378003
NE Colorado Cellular, Inc. dba Viaero	378004
NE Colorado Cellular, Inc. dba Viaero	378006
NE Colorado Cellular, Inc. dba Viaero	378012
NE Colorado Cellular, Inc. dba Viaero	378013
NE Colorado Cellular, Inc. dba Viaero	378014
NE Colorado Cellular, Inc. dba Viaero	378015
NE Colorado Cellular, Inc. dba Viaero	378017
NE Colorado Cellular, Inc. dba Viaero	378018
NE Colorado Cellular, Inc. dba Viaero	378019
NE Colorado Cellular, Inc. dba Viaero	378020
NE Colorado Cellular, Inc. dba Viaero	378021
NE Colorado Cellular, Inc. dba Viaero	378022
NE Colorado Cellular, Inc. dba Viaero	378023
NE Colorado Cellular, Inc. dba Viaero	378024
NE Colorado Cellular, Inc. dba Viaero	378025
NE Colorado Cellular, Inc. dba Viaero	378028
NE Colorado Cellular, Inc. dba Viaero	378029
NE Colorado Cellular, Inc. dba Viaero	378030
NE Colorado Cellular, Inc. dba Viaero	378033
Pinpoint Wireless, Inc.	378034
Pinpoint Wireless, Inc.	378035

4. Accordingly, the Commission will provide certification to the Administrator of the federal high-cost universal service support mechanisms and the FCC, that the above-listed carriers have used federal high-cost support in the preceding calendar year (2015) and will continue to use federal high-cost universal service support in the coming year (2017) only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

5. Certification in this Order shall not be construed as precedent as to the sufficiency of the information considered acceptable by the Commission in subsequent years.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application Nos. NUSF-25/NUSF-66  
Progression Order #33

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O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the Department certify to the Administrator of the federal high-cost universal service support mechanisms and the Federal Communications Commission, that the above-listed eligible telecommunications carriers have used and will continue to use in the coming year federal Mobility Fund support only for the provision, maintenance, and upgrading of facilities and/or service for which the support is intended in accordance with § 254(e) of the Telecommunications Act of 1996, as amended.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska this 20th day of September, 2016.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

*Gerald L. Vop*

*Crystal Knodes*

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//s//Frank E. Landis

//s//Tim Schram

*Tim Schram*

Chairman

ATTEST:

*Jeffrey L. Pelt*

Executive Director